

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

JOHN ALEXANDER ZAPATA
HINCAPIE,

Plaintiff,

v.

No. 5:23-CV-299-H

TEXAS TECH UNIVERSITY,

Defendant.

FINAL JUDGMENT

On October 29, 2024, the Court entered a Memorandum Opinion and Order (Dkt. No. 23) dismissing the plaintiff's claims but permitting the plaintiff to amend his complaint as to certain claims by no later than November 19, 2024. The plaintiff did not file an amended complaint by November 19, 2024. "When a plaintiff is given an opportunity to amend a complaint that fails to state a claim upon which relief can be granted, but refuses to do so, then the district court is justified in dismissing the complaint with prejudice." *Rodriguez v. United States*, 66 F.3d 95, 98 (5th Cir. 1995) (citing *George v. King*, 837 F.2d 705, 708 n.2 (5th Cir. 1988)). Therefore, for the reasons stated in the Court's Memorandum Opinion and Order granting the defendant's motion to dismiss, it is hereby ORDERED, ADJUDGED, and DECREED that:

The plaintiff's claims against the defendant are dismissed with prejudice.

The Clerk of Court is directed to close the case.

So ordered on November 25, 2024.

JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE